

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

ARTURO CORREA, et. al.

Plaintiffs

v.

CRUISERS, et. al.

Defendants

Civil No. 97-1105 (SEC)


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U.S. DISTRICT COURT
SAN JUAN P.R.

ORDER

Before the Court is Defendants' "Motion to Continue Trial Setting" (**Docket #69**) along with the Plaintiffs' opposition (**Docket #70**). Through their motion Defendants request the continuance of trial in the above-referenced case, set to begin on March 6, 2000, because of the alleged unavailability of one of their witnesses, Mr. Gerald Scott, to appear before the Court on that date. The Court has reviewed Defendants' motion along with the Plaintiffs' opposition and finds that a continuance of the trial date is not warranted under the circumstances. The Court notes in this regard that it will accommodate Mr. Gary Bishop's testimony according to his availability after the trial begins on March 6, 2000 pursuant to Fed.R.Evid. 611(a). In addition, the Court notes that if Mr. Gary Bishop is not available to appear before the Court to testify, his testimony can be presented to the jury through his deposition taken on April 22, 1998 pursuant to Fed.R.Civ.P. 32(a)(3)(B) and Fed.R.Evid. 804(a)(5) and (b)(1). Therefore, for the above-stated reasons, Defendants' Motion to Continue Trial Setting (**Docket #69**) is hereby **DENIED**.

SO ORDERED.

In San Juan, Puerto Rico, this 1st day of March, 2000.


SALVADOR E. CASELLAS
United States District Judge

